

March 16, 2007

FEDERAL ORDER

Domestic Quarantine of Montgomery County, Virginia, for Gypsy Moth (*Lymantria dispar*)

This Federal Order provides notification, effective immediately, for quarantine of Montgomery County, Virginia, for gypsy moth (*Lymantria dispar*):

Effective immediately, interstate movement of gypsy moth regulated articles from Montgomery County, Virginia, must be done in accordance with the requirements of 7CFR301.45.

This action is in response to detection of gypsy moth in the indicated county, communicated by the Virginia Department of Agriculture to USDA, Animal and Plant Inspection Service.

7CFR 301.45-2(b) allows the quarantine of less than an entire state only when the State enforces an intrastate quarantine that matches Federal Gypsy Moth regulations. Accordingly, in order to maintain a partial state quarantine for gypsy moth, the State Plant Regulatory Official for Virginia must confirm prior to 30 April 2007, the establishment of an intra-state quarantine for Montgomery County that mirrors the Federal Regulatory requirements as specified in 7CFR301.45. The confirmation should be made in writing to the APHIS State Plant Health Director for Virginia.

7CFR 301.45-2(c) provides for temporary designation of new quarantine areas pending publication of a rule to add counties to the list shown in 7CFR 301.45-3(a). 7CFR 301.45-2(c) further requires written notification be given to the owners of property and enterprises in a newly quarantined area, advising them of the quarantine and the necessity of complying with requirements for the movement of regulated articles. This is the responsibility of the Federal and/or State regulatory personnel responsible for the gypsy moth program in the affected state.

This Order is issued under the regulatory authority provided by the Plant Protection Act of June 20, 2000, as amended, Section 412 (a), 7U.S.C. 7712 (a), which authorizes the Secretary of Agriculture to prohibit or restrict the movement in interstate commerce of any plant, plant part, or article if the Secretary determines the prohibition or restriction is necessary to prevent the dissemination of a plant pest within the United States.

If you wish more details on the Federal gypsy moth regulatory program, you may contact the staff officer, Weyman Fussell at (301) 734-5705. For information on regulatory requirements for movement of articles out of Virginia, please contact the APHIS State Plant Health Director, Bernetta Barco, telephone (804) 771-2042.

We continue to appreciate the cooperative relationship with the Commonwealth of Virginia in our mutual effort to prevent the spread of quarantine pests.